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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

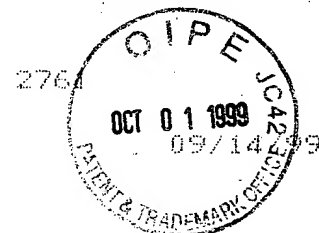
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/383,279	08/26/99	WHARTON	B 214014600004

JONES DAY REAVIS & POGUE  
NORTH POINT  
901 LAKESIDE AVE  
CLEVELAND OH 44114

0232/0914

NOT ASSIGNED

DATE MAILED:



**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 549.

☒ 1. The statutory basic filing fee is:

- ☐ missing.  
☒ insufficient.

Applicant must submit \$ 380 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ 39 for 1 independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

D. Bates  
A copy of this notice **MUST** be returned with the reply.



*Sector*

PATENT  
Attorney Docket: 214014600004

**In The United States Patent and Trademark Office**

In re Application of: Brian K. Wharton

Serial No.: 09/383,279

Filed: August 26, 1999

For: ELECTRONIC COMMERCE SYSTEM AND METHOD

Group Art Unit: 2761

Examiner: Not Yet Assigned

I hereby certify that this correspondence  
is being deposited today with the United  
States Postal Service as first class mail in  
an envelope addressed to: Assistant  
Commissioner for Patents Washington,  
D.C. 20231  
on 9-29-99

By: Deborah A. Satoran

BOX MISSING PARTS  
ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

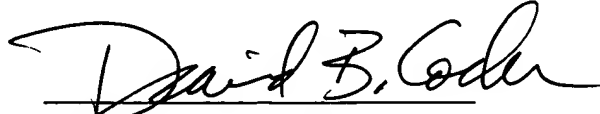
**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION**

In response to the Notice to File Missing Parts of Application, Filing Date  
Granted, dated September 14, 1999, a copy of which is returned herewith, enclosed is the  
following paper relating to the above-identified application:

- A copy of the Verified Statement Claiming Small Entity Status, which was  
mailed to the U.S. Patent and Trademark Office on September 14, 1999, and  
date-stamped received on September 16, 1999.

A check in the amount of \$65.00 is enclosed herewith to satisfy the Surcharge Amount for a Small Entity with respect to Items 1 and 2 in compliance with 37 CFR 1.16(e). In the event additional fees are due, please charge the required fees to the Jones, Day, Reavis & Pogue Deposit Account No. 10-1202, Account 214014600004.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "David B. Cochran". The signature is fluid and cursive, with a horizontal line drawn underneath it.

David B. Cochran, Esq.

Reg. No. 39,142

JONES, DAY, REAVIS & POGUE

North Point

901 Lakeside Avenue

Cleveland, Ohio 44114

(216) 586-3939

# #  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NetGateway, Inc.

Serial No.: 09/383,279

Filed: August 26, 1999

Title: ELECTRONIC COMMERCE SYSTEM AND METHOD

Docket No. 214014600004



I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents Washington, D.C. 20231

on 9-14-99

By: Deborah A. Satorian

Assistant Commissioner for Patents  
Washington, D. C. 20231

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**

Sir:

I hereby declare that I am an officer of the concern identified below and am empowered to act on its behalf.

The concern qualifies as a small business concern as defined in 37 C.F.R. § 1.9 for purposes of paying reduced fees, in that the number of employees thereof, including those of its affiliates, does not exceed 500 persons.

The exclusive rights to the invention described and claimed in the above-identified application have been conveyed to and remain with the concern, or if the rights are not exclusive, all other rights belong to small entities as defined in 37 C.F.R. § 1.9.

I acknowledge the duty to file, in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the

earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NETGATEWAY, INC.

By:



David Bassett-Parkins

Title: Chief Officer of Operations

Date:

8/27/99



Express Mail No. \_\_\_\_\_  
Date Mailed 9-14-99  
Docket: 214014-600-004  
Appln No. 09/383,279  
Pat/TM No. -  
Applicant: Wharton  
Mark: -

The Patent and Trademark Office acknowledges,  
and has stamped thereon the date of receipt of  
the items checks below:

- ☐ Affidavit
- ☐ Amendment
- ☐ Application Papers - Fee \$ \_\_\_\_\_
- ☐ Sheets of Drawing (Formal/Informal)
- ☐ Assignment ☐ Assignment Cover Sheet
- ☐ Declaration
- ☐ IDS & PTO-1449
- ☐ Issue Fee
- ☐ Maint. Fee Transmittal Form
- ☐ Opposition
- ☐ Petition
- ☐ Petition for Extension of Time
- ☐ Preliminary Amendment
- ☐ Renewal Appln.
- ☐ Response
- ☐ Rev. of POA
- ☒ Small Entity
- ☐ Specimens
- ☐ Transmittal Letter
- ☐ Check
- ☐ Other: \_\_\_\_\_

